

Notice of Allowability

Application No.

10/761,141

Applicant(s)

JIANG ET AL.

Examiner

Phirin Sam

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/20/2004.
2. ☒ The allowed claim(s) is/are 1-30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

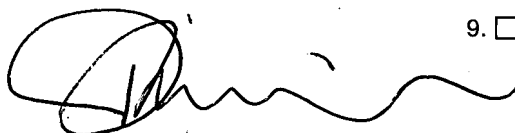
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |



PHIRIN SAM
PRIMARY EXAMINER

DETAILED ACTION

Allowable Subject Matter

1. The following is an examiner's statement of reasons for allowance:

Regarding claims 1-4, prior arts do not disclose mapping the telephone number to a port address for a digital subscriber line access multiplexer (DSLAM) in communication with the digital subscriber line element, the digital subscriber line element located remotely from the DSLAM; sending an interrogation request to the port address of the DSLAM to interrogate the digital subscriber line element; collecting raw performance data of the digital subscriber line element in response to the interrogation request; and converting the raw performance data to analyzed performance data.

Regarding claims 5-17, the prior arts do not disclose mapping the telephone number to a port address associated with network equipment supporting the digital subscriber line element, the digital subscriber line element located remotely from the network equipment; sending a provisioning status request to the port address to interrogate the digital subscriber line element; collecting real-time provisioning data of the digital subscriber line element in response to the interrogation request; and converting the real-time provisioning data to analyzed provisioning status data.

Regarding claims 18-22, the prior arts do not disclose mapping the telephone number to a port address for network equipment associated with the broadband data transport element; sending an interrogation request to the port address to interrogate the network equipment to retrieve real-time performance data of the broadband data transport element; collecting raw performance data of the broadband data transport element in response to the interrogation

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request; and converting the raw performance data to analyzed performance data using a set of analysis rules.

Regarding claims 23-30, the prior arts do not disclose a first server having an input to receive a telephone number from a web browser interface and having an output to provide performance analysis data associated with at least one of a plurality of network elements that form a distributed and geographically diverse data communication system; a second server responsive to the first server, the second server including logic to convert telephone numbers to port addresses for network elements of the communication system, the second server having an interface to communicate with an application server, the second server responsive to a communication circuit provisioning database and a network discovery and synchronization process.

Conclusion

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(1) US 2007/0053292 (DePaul et al) discloses facilitating dslam-hosted traffic management functionality.

(2) US 2006/0285648 (Wahl et al) discloses telecommunication diagnostic information management.

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(3) US Patent 7,046,675 (Lund) discloses method and apparatus to configure a digital subscriber line device.

(4) US Patent 7,027,405 (Khadavi) discloses system and method for broadband analysis of telephone local loop.

(5) US 2005/0190780 (Bailey et al) discloses dslam-hosted information storage functionality.

(6) US 2005/0144272 (Herzberg) discloses non-intrusive modem performance analysis.

(7) US 2004/0260795 (Gentle et al) discloses method and apparatus for determining telecommunication number based on presence.

(8) US 2004/0032879 (Keller-Tuberg et al) discloses integrated server module and method of resource management therefor.

(9) US 2003/0218984 (Tanaka) discloses communication system multiplexer included in the system line performance test method and recording medium having program recorded thereon.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phirin Sam whose telephone number is (571) 272-3082. The examiner can normally be reached on a compress schedule, from 8:00-5:30, first Wed off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272 - 3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Respectfully submitted,

Date: June 27, 2007

A handwritten signature in black ink, appearing to read 'Phirin Sam', written over a horizontal line.

**PHIRIN SAM
PRIMARY EXAMINER**